

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A readout controlling apparatus for controlling reading conditions while reading data from a recording medium, comprising:

an error correcting means for correcting errors in said read data;

an error rate calculating means for calculating an error rate of said errors in said read data; and

a control means for dynamically controlling and adjusting an amount of light transmitted from a laser diode used in reading said data, or a frequency of a signal superimposed on a signal applied to the laser diode or an amplitude of the signal superimposed on the signal applied to the laser diode, based on the calculated error rate in order to reduce the error rate wherein the adjustment occurs while reading user data from the disc in response to the bit error rate exceeding a predetermined level; and

wherein the error correcting means is comprised of a plurality of counters and registers with at least one reset signal generator.

2. (Previously Presented) A readout controlling apparatus as set forth in claim 1, wherein:

said data is coded in units of code blocks; and

said error correcting means corrects errors in said code blocks;

said error rate calculating means calculates said error rate by either determining a number of bytes of data where said error correction was correctly carried out and a number of bytes of data wherein said error correction was not correctly carried out, or a number of code blocks wherein said error correction was correctly carried out, and a number of blocks wherein said error correction was not correctly carried out.

3. (Previously Presented) A readout controlling apparatus as set forth in claim 2, wherein

said error rate calculating means calculates said error rate by using either cumulative addition of the number of bytes of data wherein said error correction was correctly carried out, and the number of bytes of data wherein said error correction was not correctly carried out, or the number of code blocks wherein said error correction was correctly carried out, and the number of blocks wherein said error correction was not correctly carried out for at least one code block.

4. (Canceled)

5. (Previously Presented) A readout controlling apparatus as set forth in claim 2, wherein:

said data comprises information arranged in rows and columns, and further wherein an inner code parity is determined for the rows, and an outer code parity is determined for the columns and

said error correcting means performs inner code error correction using said inner code parity and outer code error correction using said outer code parity.

6. (Previously Presented) A readout controlling apparatus as set forth in claim 5, further comprising:

a memory means for storing the results of cumulative addition of said inner code error corrections and

a memory means for storing the results of cumulative addition of said outer code error corrections.

7. (Previously Presented) A readout controlling apparatus as set forth in claim 6, wherein said error rate calculating means reads the cumulative addition values stored in the memory means.

8. (Canceled)

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Currently Amended) A recorder for recording data on a storage medium, comprising:

a reading means for reading recorded data;

an error correcting means for correcting errors in data read by the reading means;

an error rate calculating means for calculating an error rate; and

a control means for dynamically controlling and adjusting a frequency of a signal superimposed on a signal applied to a laser diode used in reading the data or an amount of light transmitted from the laser diode;

wherein the adjustment occurs while reading user data from the disk in response to the bit error rate exceeding a predetermined value; and

wherein the error correcting means is comprised of a plurality of counters and registers with at least one reset signal generator.

20. (Currently Amended) A readout controlling method for controlling reading conditions while reading data from a recording medium comprising the steps of:

applying error correction to data read from the recording medium;

calculating an error rate of said error correction step; and

dynamically controlling and adjusting a gain of a photodiode employed for reading data from the recording medium so that said error rate becomes small wherein the adjustment occurs while reading user data from the disc in response to the bit error rate exceeding a predetermined value; and

wherein the step of applying error correction comprises using an error correction means that is comprised of a plurality of registers and a plurality of counters with at least one reset signal generator.

Claims 21 - 27. (Canceled)

Please add the following new claims:

28. (New) The readout controlling apparatus of claim 1, wherein the error correcting means employs a block number control circuit that charges a cumulative number of blocks based on a cumulative block number charge signal.

29. (New) The readout controlling apparatus of claim 1, further comprising a selector electrically connected between the counters and registers.

30. (New) The recorder for recording data of claim 19, wherein the error correcting means employs a block number control circuit that charges a cumulative number of blocks based on a cumulative block number charge signal.

31. (New) The recorder for recording data of claim 19, further comprising a selector electrically connected between the counters and registers.

32. (New) The readout controlling method of claim 20, wherein the error correcting means employs a block number control circuit that charges a cumulative number of blocks based on a cumulative block number charge signal.

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33. (New) The readout controlling method of claim 20, further comprising providing a selector electrically connected between the counters and registers.